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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA
BY MAV

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-SOUTHERN

DIVISION

DAVID GREENBERG,

Plaintiff,

vs.

WESTERN CPE, a Montana

Corporation; and

STEVEN D. NASH, an individual

Defendants

) Case No.: SACV 12-2074-CJC (AN2)

) COMPLAINT AND DEMAND FOR JURY
) TRIAL

) Defamation/Slander/Libel Per Se

PAID

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COMPLAINT AND DEMAND FOR JURY TRIAL

Defamation/Slander/Libel Per Se

Plaintiff David Greenberg ("Greenberg") sues Western CPE and Steven D. Nash (collectively "Defendants") and alleges as follows:

1. Plaintiff David B. Greenberg ("Plaintiff" or "Greenberg") is a resident of Palm Beach County, Florida, and maintains an office at 5700 Old Ocean Blvd, Unit C, Ocean Ridge, Florida and is engaged in the profession of providing tax, accounting, investment and financial advice. Greenberg is a retired CPA, certified as an Enrolled Agent, Registered Tax Return Preparer, member of the Chartered Financial Accountants association and member of the Certified Market Technician association.

2. Defendant Western CPE ("Western CPE") is located at 243 Pegasus Drive, Bozeman, Montana 59718 is a Montana corporation engaged in the providing educational services throughout the country including providing continuing professional education ("CPE") to certified public accountants ("CPAs") on behalf of the California Board of Accountancy ("CBA").

3. Defendant Steven D. Nash ("Nash") is located at 9235 Silverwood CT, Granite Bay, California 95746 is a California CPA who writes courses for Western and practices as a CPA in California.

1 4. The true names of Does defendants one through fifty are
2 unknown to Plaintiff at this time so the Does are being sued
3 fictitiously and the complaint will be amended to include their
4 true names once they become known. Does one through fifty will
5 likely be inclusive of individuals like Michael Hammersley the
6 CBA informant, Donald Driftmier a CBA Board member and the CBA
7 itself once further discovery and investigation has been
8 completed.

9
10 **JURISDICTION**
11

12 7. This Court has jurisdiction pursuant to 28 U.S.C.
13 1332(a)(1), There is complete diversity in this action as
14 Plaintiffs are informed and believe that Defendants are not
15 residents of or domiciled in the same state as Plaintiff.
16 Defendants, Western and Nash conduct substantial business in
17 Orange County California. Plaintiff an individual, is not
18 domiciled in nor is a resident of the State of California and
19 the amount in controversy is greater than \$75,000.

20
21 8. Venue is proper pursuant to 28 U.S.C. 1391(b)(1) because,
22 on information and belief, Defendants conduct substantial
23 business activities in Orange County California. Accordingly,
24 Defendants reside within this district for the purposes of
25 venue.

1 9. Venue is also proper pursuant to 28 U.S.C. 1391(b)(2)
2 because, as alleged herein, the events or omissions giving rise
3 to the claim occurred within Orange County, California.
4

5 GENERAL AND CLAIM ALLEGATIONS

6 BACKGROUND

7 10. At all relevant times, Defendants transacted and conducted
8 substantial business in Orange County, California. Moreover,
9 on information and belief the acts alleged herein giving rise to
10 this complaint originated in Orange County, California.
11

12 11. The CBA specifically approved Western's provision of a
13 mandatory CBA ethics course for California CPA's: "California
14 Ethics Regulatory Review Course 4100555, hereinafter referred to
15 as "CBA mandated Ethics Course". See Exhibit 1, "Board Approved
16 Regulatory Review Courses", Exhibit 2, the first two pages and
17 page 89 of the CBA mandated Ethics Course and Exhibit 3,
18 Certificate of Completion of the CBA mandated Ethics Review
19 Course by Greenberg on 10-19-2012. All information contained in
20 Exhibits 2 and 3 was provided to Greenberg on 10-19-2012 and as
21 of this filing is still available as is.
22

23 12. The CBA mandated Ethics Course was written by Defendant
24 Steven D. Nash ("Nash") of 9235 Silverwood CT, Granite Bay,
25 California 95746 and Western charges \$45.00 for ... California
26 CPAs and others to take the test and obtain the necessary CPEs
27 to maintain a valid CPA license. See Exhibit 4, Receipt from
28 Western CPE to Greenberg for the course.

1
2 13. The CBA mandated Ethics Course contains a description on
3 page 89 of how Plaintiff David Greenberg ("Greenberg") of 5700
4 Old Ocean Blvd, Ocean Ridge Florida 33435 had his CPA revoked
5 by the CBA via "default decision" on February 23, 2009. See
6 page 3 of Exhibit 2 which is page 89 of Western's CBA mandated
7 Ethics Course.

8
9 **DEFENDANTS LIBEL, DEFAMATION AND SLANDER PER SE**

10
11 14. Western and Nash also knowingly made the following false
12 statements on page 89 of the CBA mandated Ethics Course:

13 A. Greenberg participated in selling fraudulent tax shelters
14 while at KPMG.

15 B. Greenberg caused KPMG to fail to register tax shelters with
16 the IRS.

17 C. Greenberg prepared false documentation to be included in
18 tax returns.

19 D. Greenberg caused to be or prepared fraudulent tax returns.

20 E. Greenberg conspired with unlicensed persons to commit tax
21 fraud.

22 F. Greenberg's personal returns contained fraudulent tax
23 losses.

24
25 15. In fact, in July of 2010 at a CBA hearing Greenberg
26 explained to the CBA under penalties of perjury that not were
27 such statements completely false but that in December of 2008 at
28 a criminal trial Greenberg was found innocent of any such

1 allegations with the Judge at trial specifically stating an
2 injustice had been served upon Greenberg and the U.S.
3 prosecutors had "misled" him about Greenberg. Further, the IRS
4 has never even alleged let alone charged Greenberg with
5 committing personal tax fraud from 1999 to 2004.

6
7 16. Western and Nash were very well aware of the public hearing
8 and Greenberg's denial of all the charges not to mention
9 Greenberg's acquittal at trial of the very same allegations.

10
11 17. Western and Nash go on to intentionally falsely state on
12 page 89 of the CBA mandated Ethics Course the following:

13 "After being sanctioned by the IRS, the Board of Accountancy
14 initiated its disciplinary process"

15
16 18. The IRS never sanctioned Greenberg. In fact, Greenberg's
17 privileges to practice before the IRS have never been suspended
18 or otherwise hindered by the IRS and to this day Greenberg is
19 authorized under "Circular 230" or otherwise to practice and
20 represent clients before the IRS.

21
22 19. As Western and Nash very well know the Board of Accountancy
23 (the CBA) initiated its disciplinary process in the fall of 2008
24 while Greenberg was on trial for the very same false statements
25 made by Western and Nash (not including the false statements
26 that the IRS "sanctioned" Greenberg) and from which Greenberg
27 was acquitted and exonerated of all charges in December of 2008.

1 No mention is made by Western and Nash in their knowingly false
2 recitation of facts.

3

4 20. Specifically, by example, and without limitation,
5 Defendant's written false statements are defamatory for the
6 following reasons:

7

8 a. The statements quoted above falsely accuse Plaintiff of
9 being dishonest generally, and

10

11 b. specifically dishonest in his profession, being liar,
12 committing tax fraud and selling fraudulent tax shelters.

13

14 21. The statements quoted above falsely accuse Plaintiffs of
15 committing crimes and conspiring to commit crimes.

16

17 22. The statements quoted above falsely accuse Plaintiff of
18 committing fraud on the courts and conspiring to commit fraud on
19 the court.

20

21 23. Plaintiff's business is highly competitive, in that there
22 are many firms and practitioners providing services covering the
23 same practice area in which Plaintiff practices.

24

25 24. Individuals select a financial advisor based largely, if
26 not exclusively, on the reputation of the advisor. To this
27 end, Plaintiffs' reputation is critically important to
28 successfully marketing the services to prospective clients.

1 Conduct which casts a professional in a negative light, or which
2 places them in disrepute, can discourage potential clients from
3 hiring Plaintiff to represent them, and can
4 encourage clients to seek representation at other firms.
5

6 25. The above allegations constitute libel per se, in that they
7 accuse Plaintiff of acts of moral turpitude and conduct
8 incompatible with the exercise of his profession.
9

10 26. Defendants acted intentionally, with actual malice, when
11 they published the false written statements to the business,
12 media and college communities at large and did so to
13 intentionally damage Plaintiff's business and reputation and did
14 so without any justification.

15 27. By publishing the false written statements to the business
16 and college communities, Defendants purposely communicated these
17 publications to countless third persons in California and the
18 rest of the United States (including Florid where Greenberg
19 resides).
20

21 28. As a direct, proximate and foreseeable result of the above
22 described defamation, Plaintiff has suffered damages and will
23 continue to suffer damages in an amount in excess of \$10
24 million, which includes damage to their reputation, humiliation
25 and depression, mental pain and anguish, and an impairment of
26 their ability to work in his profession.
27
28

1 WHEREFORE, based upon the foregoing, the Plaintiffs would pray
2 for entry of a
3 judgment as follows:

4
5 1. For temporary, preliminary and permanent injunctive relief
6 enjoining defendant
7 from publishing further defamatory statements;

8
9 2. For damages of not less than \$10 million,, in an exact
10 amount to be proven at trial;

11
12 3. For special damages in an amount to be proven at trial.

13
14 4. For punitive damages in an amount sufficient to punish
15 Defendants and to deter
16 them from engaging in wrongful conduct in the future, with the
17 exact amount to be proven at trial;

18
19 5. For interest, attorneys' fees and costs, and

20
21 6. For such other relief as this Court may deem to be
22 equitable and just.

23
24 DEMAND FOR TRIAL BY JURY

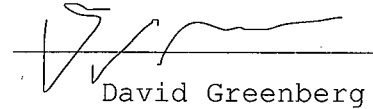
25 Plaintiffs hereby demand trial of all causes by
26 jury.

1 Respectfully submitted:

2 DATED: November 29, 2012

3
4 David Greenberg

5 By:

6 
7 David Greenberg

8 Pro Per
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**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself ☒)
DAVID GREENBERG

DEFENDANTS
WESTERN CPE AND STEVEN D. NASH.

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)
DAVID GREENBERG 646-705-2910
1730 S FEDERAL HWY, 140
DELRAY BEACH, FLA 33435

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input checked="" type="checkbox"/>	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/>
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/>	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/>
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/>	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/>

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No

MONEY DEMANDED IN COMPLAINT: \$ **10,000,000**

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
LIBEL AND SLANDER PER SE 28 USC SECTION 1332 (a)(1) (DIVERSITY)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 Habeas Corpus	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 535 General	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input checked="" type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Death Penalty	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 610 Agriculture	PROPERTY RIGHTS
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 891 Agricultural Act	REAL PROPERTY	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	IMMIGRATION	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety /Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 465 Other Immigration Actions			<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				FEDERAL TAX SUITS
<input type="checkbox"/> 950 Constitutionalality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
					<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: **SACV12-02074 CJC (ANx)**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	DAVID GREENBERG, FLORIDA

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
STEVEN D NASH, ORANGE COUNTY WESTERN CPE, ORANGE COUNTY	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
ORANGE COUNTY	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 11-30-12

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Cormac J. Carney and the assigned discovery Magistrate Judge is Arthur Nakazato.

The case number on all documents filed with the Court should read as follows:

SACV12- 2074 CJC (ANx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☒ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

DAVID GREENBERG
1730 S FEDERAL HWY, 140
DELRAY BEACH, FLA 33483

DAVID GREENBERG

Plaintiff(s)

v.

WESTERN CPE AND STEVEN D. NASH

Defendant(s)

FOR OFFICE USE ONLY

Civil Action No. **SACV12-02074 CJC (ANx)**

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

DAVID GREENBERG
1730 S FEDERAL HWY, 140
DELRAY BEACH, FLA 33483

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11-30-12

LORI WAGERS

Signature of Clerk or Deputy Clerk



1225

FOR OFFICE USE ONLY

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: